

SENATE BILL 3746
By Burchett

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 13, Part 5, relative to the punishment of
certain sexual offenders.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-524, is amended by adding
the following language as a new, appropriately designated subsection:

(e)

(1) As a condition of community supervision for life, any person
committing aggravated rape pursuant to §39-13-502, rape pursuant to §39-13-
503, aggravated sexual battery pursuant to §39-13-504 or rape of a child
pursuant to §39-13-522 on or after July 1, 2006, shall, if not medically or
psychologically precluded, be required to submit to medroxy progesterone
acetate treatment (MPA), or its chemical equivalent, as a part of a
comprehensive treatment program under guidelines established by the
Tennessee sexual offender treatment board and administered by the department
of correction and the board of probation and paroles.

(2) MPA treatment shall not be administered until the department of
correction has certified that such treatment is not precluded for medical or
psychological reasons. Such certification shall be made by a qualified physician
and psychologist approved by the Tennessee sexual offender treatment board.
In the event such providers certify that MPA treatment is not suitable medically or
psychologically, the condition requiring MPA treatment may be waived. In the
event that the MPA treatment is waived, the supervising authority shall be

notified and shall adjust other treatment and supervision conditions to effectively monitor such person.

(3) Upon certification that the offender is medically and psychologically suitable, the MPA treatment shall be commenced by the department of correction prior to the offender's release on lifetime community supervision. After release, the offender shall be monitored for compliance by the board of paroles as part of the supervision plan. If MPA treatment is required, the cost of such treatment shall be borne by the offender based upon such offender's ability to pay.

(4) The physician administering the MPA or its chemical equivalent shall provide a report and recommendation to the board of probation and paroles regarding the appropriateness of continued MPA treatment on an annual basis unless an earlier report and recommendation is warranted based on the offender's medical or psychological condition.

SECTION 2. Tennessee Code Annotated, Section 39-13-526, is amended by adding the following language as a new, appropriately designated subsection:

(d) If the offender violates the condition of community supervision requiring such person to undergo MPA or its chemical equivalent, pursuant to §39-13-524(e), such violation shall be a Class A misdemeanor.

SECTION 3. This act shall take effect July 1, 2006, the public welfare requiring it.